

# **BOARD OF POLICE COMMISSIONERS**

## **Minutes of the Regular Board of Police Commissioners Meeting Thursday, June 16, 2005**

The regular meeting of the Detroit Board of Police Commissioners was held on Thursday, June 16, at 3:00 p.m., at Police Headquarters, 1300 Beaubien, Detroit, Michigan 48226.

### **ATTENDANCE**

#### **Board Members Present**

Arthur Blackwell, II  
Erminia Ramirez  
Jim Holley **(ABS)**  
Megan Norris  
Willie Hampton **(ABS)**

#### **Department Personnel Present**

Chief Ella Bully-Cummings  
Cmdr. Jackson  
Insp. Wilson-Turner  
Lt. Donna Jarvis  
Lt. Morris Adams  
Lt. John Serda  
Lt. Brian Stair  
Sgt. Donna Ali-Johnson  
Sgt. Shoate  
Sgt. White  
P.O. Reggie Crawford  
P.O. Esicoulia Jackson  
Atty. Nancy Ninowski

#### **Board Staff Present**

Dante' L. Goss, Executive Director  
E. Lynise Bryant-Weekes, Personnel Director  
Denise R. Hooks, Attorney/Supervising Inv.  
Arnold Sheard, Interim Chief Investigator  
Ainsley Cromwell, Supervising Investigator

### **OTHERS PRESENT**

Ron Scott  
Rick Jones  
Ms. G.A. Walters  
Atty. John Goldpaugh, DPOA

### **RECORDERS**

Jerome Adams  
Gina Dickerson

## **1. CALL TO ORDER**

**Chairperson Blackwell** called the regular meeting of the Detroit Board of Police Commissioners to order at 3:26 p.m.

**Chairperson Blackwell** spoke about the condition of Kellie Williams who was recently involved in a very serious accident. He commented about how she was always upbeat and happy, and was always willing to help anyone. He asked everyone in attendance to take a moment of silence to pray for Kellie's recovery and for her family.

**Exec. Dir. Goss** stated that cards and flowers could be dropped off at the Board's office. The family has requested that no flowers be sent.

**Chairperson Blackwell** stated that the person responsible for the accident has been identified.

**Chairperson Blackwell** stated there was an announcement made several days ago by the Mayor and the Chief about the fireworks. He asked, as a point of special privilege, for the Chief to give an update.

**Chief Bully-Cummings** stated Mayor Kilpatrick recently held a press conference to announce that at the present time, there would be no layoffs of police officers. He gave her a forty-five (45) day time frame to come up with a comprehensive plan, which was misconstrued by many people to mean that after 45 days the layoffs would occur. She stated that was not correct and was explained last night at a town hall meeting. She also stated that Oakland County and Macomb County said that they would not be providing any assistance for the major league baseball game unless the City paid them. She stated that she would love to provide them with funding. However, with the impending layoffs of officers and due to the fact that they only have a 25 percent allotment of funding that can be used for overtime, it is just not possible. As it were, the 25% allotted percentage is not sufficient enough to cover the special events covered by the City of Detroit.

**Chairperson Blackwell** asked if the Wayne County Sheriffs or the State Police had pulled out?

**Chief Bully-Cummings** responded no.

**Chairperson Blackwell** asked if it was just the Oakland County Sheriffs and outside agencies?

**Chief Bully-Cummings** stated just Oakland County and Macomb County but her understanding is that Sheriff Mark Hackell is still committed to providing some assistance as far as traffic enforcement because he has a state grant which would allow him to do it. Oakland County is not providing any assistance. She commented on how Oakland County & Macomb County sit at the table with the City and participate at the committee meetings but neither of them want to provide assistance.

**Chairperson Blackwell** asked that now that the announcement has been made is there is any real reason to have them at the table?

**Chief Bully-Cummings** stated that the olive branch should still be extended because they are working on dual assignments. They are doing the Major League All-Star game and the Superbowl.

**Chairperson Blackwell** asked if he said he just wouldn't help pay for the All-Star game?

**Chief Bully-Cummings** stated that was the only one that was spoken about.

**Chairperson Blackwell** stated it is disconcerting because major league is a regional event and Oakland County gets 45-50% of the financial benefits.

## **2. APPROVAL OF MINUTES**

- **Thursday, June 02, 2005**
- **Thursday, June 09, 2005**

**MOTION:** **Comm. Norris** made the motion to approve the above Minutes.

**SECOND:** **Comm. Ramirez** seconded the motion.

**VOTE:** All in attendance voted in the affirmative.

## **3. SECRETARY'S REPORT – EXEC. DIR. GOSS**

### **SUSPENSION**

**Exec. Dir. Goss** stated on June 16, 2005, **Police Officer Robert Nill**, badge 3940, assigned to the Eighth Precinct, was suspended without pay by the Chief of Police.

On Thursday, April 21, 2005, the Internal Affairs Section was notified of an allegation of misconduct on the part of Police Officer Robert Nill, Badge 3940, assigned to the Eighth Precinct. More specifically, the allegation of misconduct concerned the false report of the commission of a crime by Officer Nill to the Southfield Police Department.

Based on the foregoing, the Force Investigation Section initiated an investigation, which revealed the following:

On April 21, 2005, at approximately 3:50 p.m. Officer Nill contacted the Southfield Police Department via 911 to report that an unknown male did unlawfully enter his residence and, that during the course of the ensuing struggle, one round was discharged from his (Officer Nill's)

firearm, that being a rifle. The rifle shot took effect in the living room ceiling of Officer Nill's apartment.

As a result, Southfield Police Department initiated an investigation and found that there was no sign of forced entry into Officer Nill's residence. Further, two (2) witnesses who reside at the apartment complex and who were in the area at the time of the incident were interviewed. The witnesses advised Southfield Police that they did not observe anything unusual in or around the area nor did they observe anyone enter or exit Officer Nills' residence.

On May 26, 2005, a warrant request was submitted to the Oakland County Prosecutor's Office. Also, on this date a two (2) count warrant was issued charging Officer Nill with False Report of a Felony and Careless Discharge of a Firearm contrary to MCL 750.411a and 752.863a. False Report of a Felony is a felony punishable by four (4) years in prison and/or a fine of two thousand dollars (\$2,000.00); and Reckless Discharge of a Firearm is a misdemeanor punishable by ninety-three (93) days in jail and/or a fine of five hundred dollars (\$500.00).

On May 27, 2005, Officer Nill appeared at the Forty-Sixth District Court for arraignment on the aforementioned charges. A plea of not guilty was entered on his behalf. Officer Nill was released on a personal bond with a Preliminary Examination date of June 27, 2005.

Based on the above circumstances, it is recommended that Officer Robert Nill be charged with, but not limited to the following violation of the Detroit Police Department Rules and Regulations:

**CHARGE: CONDUCT UNPROFESSIONAL; CONTRARY TO THE LAW ENFORCEMENT CODE OF ETHICS, THIS BEING IN VIOLATION OF THE DETROIT POLICE DEPARTMENT MANUAL, SERIES 100, DIRECTIVE 102.3-5.7, CONDUCT UNBECOMING AN OFFICER, COMMAND 3.**

Unless contravened by this Commission, the above suspension without pay will stand.

### **CITIZEN COMPLAINTS RECEIVED**

	<b><u>This Week</u></b>	<b><u>Year to Date</u></b>
<b>2005 - Weekly Count of Complaints:</b>	<b>46</b>	<b>681</b>
<b>2004 - Weekly Count of Complaints:</b>	<b>35</b>	<b>692</b>

- The Office of the Chief Investigator (OCI) closed a total of **0** cases this week.
- The Office of the Chief Investigator submitted **0** cases to the Chief's Office.
- The Chief's Office has reviewed and returned **0** cases to OCI.

#### **4. REPORT/PRESENTATION – CHIEF OF POLICE**

## **DETROIT POLICE DEPARTMENT**

### ***REPORT TO THE* BOARD OF POLICE COMMISSIONERS**



#### **BUILDING A SAFER DETROIT THROUGH COMMUNITY PARTNERSHIPS.**

The Detroit Police Department is committed to uphold its mission to provide a safe environment for our residents and businesses. This effort is not possible without the joint commitment of the community and the Police Department. We appreciate and value the role our citizens have played in helping us to take guns and drugs off the streets of the city of Detroit.

### **SPECIAL ENFORCEMENT ACTIONS**

#### ***Narcotics Enforcement and Conspiracy Units***

During the period of June 6<sup>th</sup> – June 14<sup>th</sup>, the Narcotics Enforcement and Conspiracy Units conducted 56 search warrants and 39 street enforcement actions within the boundaries of the city of Detroit, resulting in the following arrests and confiscations:

##### **Arrests:**

- ◆ 43 Felony arrests
- ◆ 125 Misdemeanor arrests
- ◆ 3 Juvenile(s) detained

##### **Confiscated:**

- ◆ 72,604.2 Grams of cocaine, 34.6 grams of heroin, 50,129 grams of marijuana - street value **\$29,304,476.00**
- ◆ **\$1,072,638.00 U.S. currency**
- ◆ 25 Handguns
- ◆ 8 Vehicles

#### ***Gang Enforcement Section***

On June 12, 2005, officers from the Gang Enforcement Section received information and a description of one wanted on an “Armed Robbery.” **After a brief foot chase in the 20000 block of Gardendale, one (1) adult male was arrested without incident and charged with “Armed Robbery.” He was also wanted and held on an outstanding misdemeanor warrant.**

#### ***Police Community Services***

On June 10, 2005, officers from the Police Community Services Unit conducted a **Personal Safety Presentation for the faculty members at the**

Redford Geriatric Village. Additionally, on June 11, members set up a Crime Prevention Informational Booth at Comerica Park during the Susan G. Komen's "Race for the Cure" Cancer awareness event.

## Police/Community Intervention



## TAKING THE GUNS OFF THE STREET !



Total Guns Confiscated  
Year-To-Date  
1,851

### EIGHTH PRECINCT

On June 11<sup>th</sup>, officers of the 8<sup>th</sup> Precinct conducted a traffic stop in area of Fenkell and W. McNichols. An investigation of the Las Vegas, NV vehicle resulted in the arrest of one (1) man for "Possession with the Intent to Deliver Cocaine." Confiscated was \$165,332 U.S. currency and six (6) kilos of cocaine.

### NINTH PRECINCT

On June 11, officers of the 9<sup>th</sup> Precinct responded to 12820 Flanders on a "Home Invasion in Progress" run. As a result of an investigation, one (1) man was arrested without incident and charged with two (2) counts of "Home Invasion."

### TENTH PRECINCT

On June 9<sup>th</sup>, officers of the 10<sup>th</sup> Precinct, while on patrol, observed an adult male in the area of 4005 Vicksburg, toss, what appeared to be, a weapon. As a result of an investigation, one man was arrested without incident and charged with "CCW-Person." Confiscated was one (1) 38. caliber handgun.

### TWELFTH PRECINCT

On May June 8<sup>th</sup>, officers of the 12<sup>th</sup> Precinct, while in the area of the 18468 N. Lodge Freeway Service Drive, observed an adult male looking into parked vehicles. As result of an investigation, one (1) man was arrested and charged with "CCW-Person." Confiscated was one (1) .38 caliber handgun and holster.

## THIRTEENTH PRECINCT

On June 7<sup>th</sup>, officers of the 13<sup>th</sup> Precinct were on routine patrol when they observed an adult male standing on the porch of a known vacant dwelling. After a brief foot chase, the man was subsequently arrested and charged with "CCW-Person." Confiscated was one .25 caliber handgun.

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Chief of Police Ella M. Bully-Cummings

### **5. PRESENTATION – RECORDS & IDENTIFICATION**

**Lt. Morris Adams** gave the following PowerPoint presentation:

**(SEE ATTACHMENT)**

#### **QUESTIONS AND ANSWERS (Q&A)**

**Comm. Norris** asked can you explain the difference between incident base reporting system and the MICR (Michigan Incident Crime Reporting)?

**Lt. Adams** stated the MICR is a summary, and basically what it compiles is the most serious offense in an incident. Incident base reporting actually documents each and every offense in an incident. So, in the two systems, you can actually see an increase in crime because whereas under one system you had the highest offense...all will be reported.

**Comm. Norris** stated you will have five things. If I shoot my gun, it may count as five different things.

**Lt. Adams** stated you shoot your gun and you also MDP somebody's property in the same incident, that's two separate offenses. Now both of them are being recorded.

**Comm. Ramirez** asked on the onbase scanners, you said you have acquired it, has that already been implemented?

**Lt. Adams** stated those are in place throughout the department, not just at the Records & Identification Section. And what we've started doing with them is we've started with the accident reports and when they are scanned into the system you have to index them based on certain information; the person's name, location of the incident, and the report number. It allows you



to go into the computer and pull that accident report up rather than going to a file cabinet and pulling up a physical paper copy of it.

**Comm. Ramirez** asked who puts in the data?

**Lt. Adams** stated the Records & Identification Section.

**Comm. Ramirez** stated and one more question. The amount that...the fees that you get, does that all go to the general fund or does that come back to the Detroit Police Department?

**Lt. Adams** stated that goes to the general fund.

## **5. REQUEST TO ACCEPT GRANT AUTHORITY**

**Chairperson Blackwell** stated we have a request to accept Grant Authority from the State Farm Insurance Company for the Detroit Police Auto Theft Team.

**The State Farm Insurance Company has offered the Detroit Police Department's Auto Theft Team an opportunity to apply for the "Safe Neighbors and Strong Neighborhoods" Grant. The grant program is designed to reduce auto theft in target neighborhoods.**

**The program involves first identifying areas of high vehicle theft in the City of Detroit utilizing crime mapping. Within those areas, vehicles most likely to be targeted for theft will be identified. The owners will then be offered an auto theft deterrent device known as "The Club" at no cost. If the vehicle is stolen, a study will be done to ascertain if "The Club" was defeated. If defeated, the insurance deductible will be paid on any vehicle enrolled in the program.**

**The amount of the award is \$5000.00 plus an additional \$1000.00 provided by the Auto Theft Prevention Authority (ATPA) through a grant provided to this department's Auto Theft Team and the Neighborhood Services Organization (NSO). There is no cash match required by the City of Detroit.**

**MOTION:**     **Comm. Norris** made the motion to approve the above Grant.

**SECOND:**    **Comm. Ramirez** seconded the motion.

**VOTE:**        All in attendance voted in the affirmative.

## **6. OTHER BUSINESS**

**Chairperson Blackwell** moved to adopt a Resolution honoring Reverend Steven J. Essenburg.

**MOTION:**     **Comm. Norris** made the motion to adopt the Resolution.

**SECOND:**    **Comm. Ramirez** seconded the motion.

**VOTE:**        All in attendance voted in the affirmative.

## **9. ANNOUNCEMENT OF NEXT MEETING**

Thursday, June 23, 2005 @ 3:00 p.m.  
Police Headquarters  
1300 Beaubien, Rm. 328-A  
Detroit, MI 48226

## **10. ORAL COMMUNICATION FROM THE AUDIENCE**

**P.O. Escoulia Jackson** asked for support from the Board regarding the impending layoffs. Her husband is a Detroit fireman so her family is really being affected twice. She has contacted City Council and is asking for anyone and everyone to assist them in making their voices heard.

**Chairperson Blackwell** stated that they had put forth a resolution supporting the Chief's budget. He stated he is prepared to submit an additional resolution and to go in front of City Council.

**P.O. Reggie Crawford** inquired about the complaint he filed against Asst. Chief Walter Martin. He requested a status report.

**Comm. Norris** stated that because the complaint involved some criminal allegations it was referred to Internal Affairs for investigation.

**Interim Chief Inv. Sheard** stated the complaint was forwarded to I.A. but was returned to OCI. When the investigation is completed, a memo of the findings will be hand delivered to Mr. Crawford at his command, which is usually what is done.

**P.O. Crawford** stated he will await the response. He also stated that he received several phone calls as to how disrespectful the on-duty police officers were toward City Council members Maryann Mahaffey and Joanne Watson at a community meeting held recently at the Eighth Precinct. He stated that community groups are considering a class action suit regarding their behavior. He also stated he does not support the Blue Flu and commented that anyone participating in it is exhibiting irresponsible, irreprehensible behavior and should be terminated.

**Chairperson Blackwell** stated that relative to the behavior of the officers at the community meeting, in terms of their decorum, whether on or off duty, they are still required to act like police officers.

**Comm. Norris** stated police officers have often spoken out at meetings and they are expected to behave politely. They have never been prohibited from expressing their opinions and offering criticisms at meetings.

**Chief Bully-Cummings** agreed to the fact that whether on or off duty, officers are expected to behave in a professional manner.

**P.O. Crawford** stated as a resident of the City of Detroit he would not tolerate unprofessional behavior on the part of officers.

**Chairperson Blackwell** asked for clarification as to whether Officer Crawford was protecting only certain individuals in public office or if he was protecting the sanctity of all public officials? He commented on how the Mayor is disrespected and no big deal is made of it.

**P.O. Crawford** stated he is protecting everyone.

**Chairperson Blackwell** stated that whether a police officer is disrespectful to a City Council member or the Mayor it should carry the same weight.

**Ms. G. A. Walters** inquired as to whether there were areas in the department where duties could be folded over to save money? She commented that the office should be respected at all times. She commented on how L. Brooks Patterson has done ugly finger pointing and she feels that an official statement should be issued to retract any dishonest statements made about the department.

**11. ADJOURNMENT**

The meeting was adjourned at 4:10 p.m.

Respectfully submitted,

**DANTE' L. GOSS**  
Executive Director  
Board of Police Commissioners

**DLG/gd**